

Kristina Roegner
State Senator
27th Senate District



Sponsor Testimony – Senate Bill 204
Ohio House Behavioral Health and Recovery Supports Committee
February 17th, 2022

Chair Carruthers, Vice-Chair Pavliga, Ranking Member Boyd, and Members of the House Behavioral Health and Recovery Supports Committee, thank you for the opportunity to provide sponsor testimony on Senate Bill 204, which was voted out of the Senate 33-0 this past November. Upon enactment S.B. 204 would join Ohio to the “Counseling Compact,” which is an occupational licensure interstate compact – an agreement among states to adopt a set of uniform licensure standards for the counseling profession and to recognize valid licenses issued by any state that has enacted the agreement.

If this bill seems familiar – it certainly is following a bipartisan trend in Ohio of facilitating occupational licensure mobility. This General Assembly alone, six compact bills have passed:

- SB2, The Psychology Interjurisdictional Compact (PSYPACT) – (Gavarone)
 - 28 member states (Ohio was 16th by unanimous vote)¹
- SB3, The Nurse Licensure Compact (NLC)
 - 39 member states (Ohio was 36th, passed Senate unanimously)²
- SB5, The Physical Therapy Licensure Compact
 - 34 member states (Ohio was 31st, passed Senate unanimously)³
- SB6, The Interstate Medical Licensure Compact
 - 33 member states (Ohio was 28th, passed House unanimously)⁴
- SB7 Occupational Therapy Compact
 - 9 member states (Ohio was 3rd, passed Senate unanimously)⁵
- HB252 Audiology & Speech-Language Pathology Compact – (White/Plummer)
 - 15 member states (Ohio was 15th, passed unanimously)⁶

The Counseling Compact is very similar in nature to these other licensure compacts, both in development and operation.

¹ <https://psypact.org/page/psypactmap>

² <https://www.ncsbn.org/nlcmemberstates.pdf>

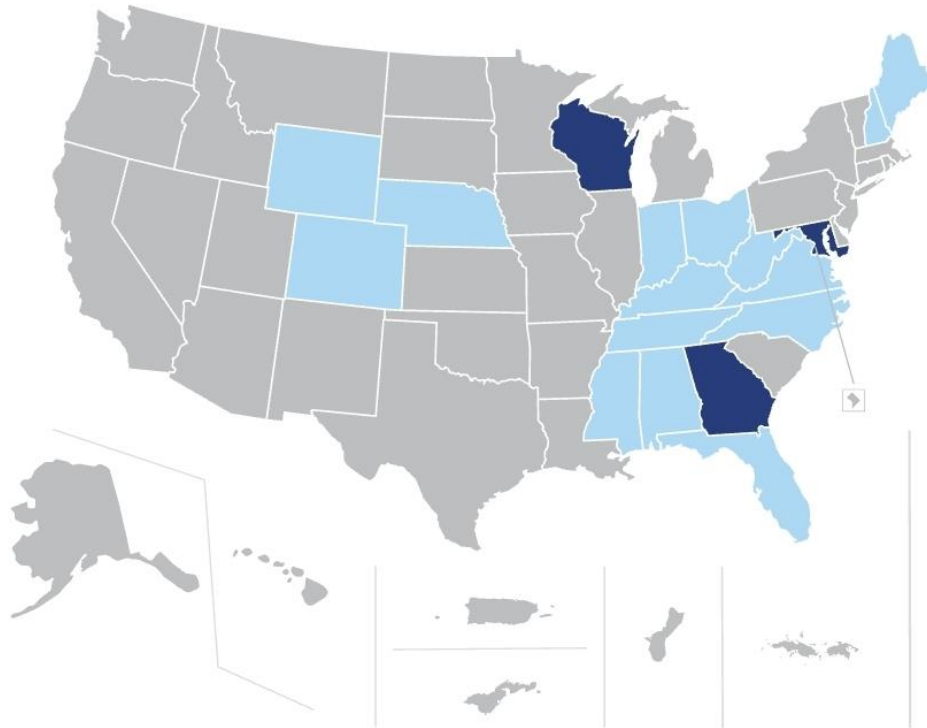
³ <http://ptcompact.org/ptc-states>

⁴ <https://www.imlcc.org/participating-states/>

⁵ <https://otcompact.org/>

⁶ <https://aslpcompact.com/compact-map/>

The Counseling Compact was developed by a project team (including one Ohioan) composed of professional counselors, state regulators, representatives of professional organizations as well as staff from the National Center for Interstate Compacts at the Council of State Governments who is facilitating the project. After over a year of work final model language was produced and approved in December 2020⁷. Three states, Georgia, Maryland, and Wisconsin, have already used this language to enact legislation to join the compact. Fourteen other states in addition to Ohio (Indiana, Kentucky, West Virginia, Virginia, Colorado, Wyoming, Nebraska, Tennessee, North Carolina, Mississippi, Alabama, Florida, Maine, and New Hampshire) have all recently introduced legislation. The Compact will go into effect once enacted by ten states.



The Counseling Compact allows licensed professional counselors to practice in all other compact member states – either in person or via telehealth through a “privilege to practice” which is equivalent to a license.

This Compact is similar to the other mutual recognition type compacts this committee has reviewed and approved. Like its predecessors, this Counseling Compact:

- establishes an interstate commission, comprised of delegates from member states to administer the compact
- Creates a licensure data system for the Compact member state boards to communicate and exchange information including licensure and disciplinary sanctions.
- Specifies requirements for an individual to obtain a privilege to practice:
 - Hold a valid license in their home state – which must be a compact member
 - Have no encumbrances on any state license currently and no adverse actions or restrictions against any license within the previous two years.
 - Pass an FBI Fingerprint Criminal Background Check
 - Meet any jurisprudence requirements for the member state in which they are seeking a privilege.
 - Complete any continuing education requirements (required by the home state only)

⁷ <https://counselingcompact.org/first-post/>

There are also requirements for a state to be able to join the Counseling Compact. A member state must:

- License and regulate licensed professional counselors
- Require licensees to pass a nationally recognized exam
- Require licensees to have a 60 hour master’s degree in counseling or 60 hours of graduate coursework in relevant areas
- Require licensees to complete a supervised postgraduate professional experience.
- Have a mechanism in place for receiving and investigation complaints about licensees
- Participate fully in the commission’s licensure data system
- Notify the commission of any adverse action against a licensee
- Conduct criminal background checks of candidates for an initial privilege to practice

It is important to note, as with existing licensure compacts, joining this Compact has no impact on a state’s scope of practice – this is not a takeover of Ohio’s regulatory authority, as licenses granted under the Compact are done so on a “Privilege to Practice” basis. Furthermore, only the home state can take adverse action against a home state licensee. Should a home state take action against a licensee, the licensee loses the privilege to practice in all member states. If a remote state takes action against a counselor’s privilege to practice, the licensee loses the privilege to practice in that state and may lose the privilege to practice in all states. (Member states are required to share investigative information in furtherance of investigations)

It is also worth noting that the Counseling Compact allows active-duty service members and their spouses to select one state to serve as their home state for the remainder of the service member’s active duty. At the Counseling Compact Legislative Summit 2021, Dr. Elizabeth Burgin, a military spouse and counselor spoke as to why this is so important⁸:

- Military families relocate every 2-3 years, which is 10x more often than civilians
- 34% of military spouses hold at least one professional license, 22% of these licensees are unemployed
- There is a 26% wage gap between military licensees and civilian licensees
- 1 in 5 military licensees has waited 10+ months for a license transfer

The Counseling Compact certainly will help lessen the licensure burden currently associated with military and civilian relocation.

This legislation is straightforward and focused on the best interests of caregivers and patients alike. Its passage will expand economic opportunity for Ohio’s counselors and improve access to care for Ohio’s patients through interstate travel and greater access to telehealth services.

I thank you for allowing me the opportunity to testify today, appreciate your thoughtful consideration of SB 204 and I would be happy to answer any questions at this time.

⁸ <https://counselingcompact.org/tool-kit/> (see video time marker 2:05)